



UNITED STATES GOVERNMENT

NATIONAL LABOR RELATIONS BOARD

Region 1 Boston, Massachusetts
10 Causeway Street, 6th Floor
Boston, MA 02222-1072
Telephone: (617) 565-6700

December 18, 2008

Ms. Eliza Perez
4 Beacon St.
Burlington, MA 01803

Re: *Lexington Health Care Center*
Case 1-RD-2096

Dear Ms. Perez:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been investigated and considered.

As 1199SEIU Healthcare Workers East has disclaimed any interest in representing the employees involved in this proceeding, the petition that you filed should be, and hereby is, dismissed.

Moreover, in view of such disclaimer, 1199SEIU Healthcare Workers East is no longer the exclusive representative of the employees in the unit involved in this proceeding, and the Certification of Representative issued in Case 1-RC-21927 is hereby revoked.

Any petition filed by 1199SEIU Healthcare Workers East within 6 months from this date will not be entertained unless good cause is shown to the contrary. Moreover, in the event the Union makes a claim for recognition upon the Employer within 6 months from this date involving the same or substantially the same unit a motion by the petitioner herein requesting reinstatement of this petition will be entertained. *Little Rock Road Machinery Co.*, 107 NLRB 715 (1954).

Right to Obtain Review: Section 102.71(b) of the National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing a request for review with the National Labor Relations Board. If you wish to file a request for review, your attention is directed to the following, which summarizes the provisions of Section 102.71(c) of the Rules:

Request Due Date: The request for review must be received by the Executive Secretary of the Board in Washington, D.C. by the close of business at 5 p.m. on January 1, 2009. However, if you mail the request, it will be considered timely if it is postmarked no later than one day before the due date. The request MAY NOT be filed by facsimile transmission. You may file the request for review electronically. Further guidance may be found under E-Gov on the National Labor Relations Board web site: www.nlr.gov.

Extension of Time to File Request: If you provide a good reason, the National Labor Relations Board may grant you an extension of time to file the request for review. You may file a request for an extension of time by mail, by facsimile transmission, or through the Internet. The fax number is (202) 273-4270. Special instructions for requesting an extension of time over the Internet are set forth in the attached Access Code Certificate. Any request for an extension of time must be received by the due date indicated above. A copy of any request for extension of time should be sent to me.

Request Contents: The request for review (eight copies) must contain a complete statement setting forth the facts and the reasons why you believe the decision to dismiss the petition is incorrect.

Address for Request for Review: The request should be sent to the Executive Secretary of the National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570 by the due date specified above. You should send a copy of the request to me, and one copy of the request to each of the parties whose names and addresses are listed below.

Very truly yours,

/s/ Rosemary Pye
Rosemary Pye
Regional Director

cc:

General Counsel, Office of Appeals

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